

SUBSECTION 8.4

Land Use

8.4 Land Use

8.4.1 Introduction

This section provides an inventory of existing and designated land uses at the site and along the proposed alternatives for the natural gas supply, transmission, and waterline corridors. It also evaluates the project's conformity with applicable land use plans and policies. Section 8.4.2 discusses the land use planning and control framework surrounding the project and adopted local, regional, state, and federal land use plans and permits applicable to the proposed project. Section 8.4.3 is a brief overview of the affected environment and describes existing land uses and zoning districts in the project area (i.e., within 1.0 mile of the proposed site and within 0.25 mile of the project's linear facilities). Section 8.4.4 describes the future growth potential of the project area. Section 8.4.5 discusses the discretionary reviews to be initiated by public agencies or completed in the 18 months prior to filing the AFC. Section 8.4.6 presents an assessment of potential land use impacts of the project, and the project's conformity with existing and designated land uses and applicable plans and policies. Section 8.4.7 discusses cumulative impacts and mitigation measures, and Section 8.4.8 lists the references used in preparing this section.

The site and linear project features are in several planning jurisdictions, as summarized in Table 8.4-1 and Figures 8.4-1 through 8.4-4.

TABLE 8.4-1
Summary of Project Feature Jurisdictions

Project Feature	Land Use and Planning Jurisdiction
Energy Facility	City of San Joaquin
Electrical Transmission Alternatives	City of San Joaquin, Fresno County
Natural Gasline Alternatives	City of San Joaquin, Fresno County
Waterline Alternatives	City of San Joaquin, Fresno County

8.4.2 Laws, Ordinances, Regulations, and Standards

This section lists (Table 8.4-2) and discusses the land use laws, ordinances, regulations and standards (LORS) that are applicable to the project. Presented in Section 8.4.6 are the General Plan policies relevant to the project.

8.4.2.1 Federal

No federal LORS for land use are applicable to the site or project.

8.4.2.2 State

The AFC process is CEQA-equivalent under the Warren-Alquist Act, and therefore fulfills the requirements of CEQA. CEQA is codified in the California Public Resources Code, Sections 21000-21178.1. Guidelines for implementation of CEQA are codified in the California Code of Regulations (CCR) Sections 15000-15387.

TABLE 8.4-2

Laws, Ordinances, Regulations, and Standards Applicable to CVEC Land Use

LORS	Purpose	Regulating Agency	Applicability (AFC Section Explaining Conformance)
City of San Joaquin Comprehensive General Plan and Environmental Impact Report (1996)	Describes policies for land use, circulation, community facilities, and environmental resource management for the plan area.	Shahid Hami City Manager 21900 Colorado P.O. Box 758 San Joaquin, CA 93660 559-693-4311	Table 8.4-6
City of San Joaquin Zoning Ordinance (2000)	Establishes zoning districts governing land use and the placement of buildings and district improvements.	Same as above	Section 8.4.6
Fresno County General Plan (2001)	Describes policies for land use, circulation, community facilities, and environmental resource management for the plan area. It is a statement of the area's vision of its ultimate physical development.	Richard Perkins, Planner Dept of Planning and Resource Management 2220 Tulare St., 8th Floor Fresno, CA 93721 559-262-4022	Table 8.4-6
Fresno County Zoning Ordinance (2001a)	Establishes zoning districts governing land use and the placement of buildings and district improvements.	Same as above	Section 8.4.6

Table 8.4-3 summarizes the permits needed for project approval related to land use. A discussion of each permit follows.

TABLE 8.4-3

Land Use-Related Permits Needed for Project Approval

Permit or Approval	Schedule	Applicability	AFC Conformance Section	Agency Contact
City of San Joaquin Site Review and Use Permit Zoning Ordinance 17.16 Site Plan Review 17.80 Use Permits	90 days prior to construction	All proposed development for project within M zoning district, including installation of buildings, modification to site surface, and height variance	Section 8.4.2.3.3	Shahid Hami See Table 8.4-2
City of San Joaquin Encroachment Permit City of San Joaquin Municipal Code 12.04.080, et seq.	6 weeks prior to construction	Installation of natural gas and waterline facilities for project	Section 8.4.2.3.3	Shahid Hami See Table 8.4-2
Fresno County Encroachment Permit/Plan Review Fresno County General Ordinance Code Chapter 13.08 Private Improvements within road rights-of-way	6 weeks prior to construction	Installation of natural gas and waterline facilities for project	Section 8.4.2.3.3	Fresno County Public Works Department Brett Connor Permit Engineer 2220 Tulare, 7th Floor Fresno, CA 93721 559-262-4078

Sources: City of San Joaquin (1996, 2001a and 2001b); Fresno County (2001a and 2001b).

8.4.2.3 Local

8.4.2.3.1 General Plans

Land use provisions included in every California city and county General Plan (California State Planning Law, Government Code §65302 et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. For purposes of this AFC, the project is analyzed for its conformity with land use designations and policies described in the City of San Joaquin (City) and Fresno County (County) General Plans. The land use designations, as well as the allowable uses, are discussed in Section 8.4.3. A discussion of the project's conformity with the land use designations and General Plan policies is found in Section 8.4.6.

Implementation of the project would not require amendment to the General Plans for the City or County. The proposed project is consistent with the land use designation and policies of the City, as presented in Section 8.4.6

8.4.2.3.2 Zoning Ordinances

The City and County's zoning ordinances are enforced by their respective planning and building departments. Zoning for the project site is Manufacturing (M). Pursuant to the City of San Joaquin Zoning code, Section 17.60.020(B), development within the M zoning district is subject to Site Development Review and a Use Permit. A thermal power plant is an allowable use within the M zoning district, provided that the Site Development Review is approved and a Use Permit is issued.

Installation of linear facilities in the City within existing right-of-way would require an encroachment permit (City of San Joaquin, 2001b). Installation of linear facilities in the County within existing right-of-way would require a Plan Review/Encroachment Permit (Connor, 2001). The permits required by the respective zoning and municipal ordinances are described below.

8.4.2.3.3 Related Permits

City of San Joaquin Site Development Review and Use Permit

Section 17.16 of the City of San Joaquin Zoning Ordinance states that "...in order to ensure that use and development of property in the city is in conformity with the intent and provisions of zoning regulations of the city and other applicable provisions of the City Municipal Code and ordinances codified therein, review of proposed site plan developments by the City Manager or, as may be applicable, the Planning Commission, is necessary and desirable." The site development review process typically is coordinated by the City Manager with input from the other departments and may include a meeting with the project proponent, application, plan review, public notification and review, and conditions of approval. For CVEC, a height variance will be required due to stack heights greater than the 75-foot limit in the M zoning district, and will be incorporated into the Site Development Review. The site development review process would result in the issuance of a Use Permit, provided that conditions of approval are met. Since the CEC certificate is in lieu of the Site Development Review/Use Permit pursuant to Public Resources Code Section 25500, the City administration of this provision would be in the form of comments to the CEC.

City of San Joaquin and Fresno County Plan Review/Encroachment Permits

Encroachment permits will be sought to install natural gas and water lines in the City and County in public right-of-way and will be authorized by the respective City and County public works departments. The Applicant intends to apply for and obtain these ministerial permits as a courtesy to help maintain conformity with County processes and recordkeeping (City of San Joaquin, 2001b; Connor, 2001). Encroachment, as defined by the City and County, includes excavating or disturbing the right-of-way; and or constructing, installing, or maintaining a cable, conduit, pipe or other equipment in the right-of-way. In general, the applications require a complete description of the proposed encroachment, a list of supporting documentation, copies of referenced plans and specifications, and evidence of insurance.

Installation of a waterline within the County normally requires the execution of a franchise agreement with the County prior to application for an encroachment permit and plan review (Connor, 2001). The project proponent will apply for an encroachment permit subsequent to final certification by the CEC. The approval process for the encroachment permits typically will take 3 to 5 weeks.

8.4.3 Affected Environment

The following section presents the affected environment for the area near the project and the project vicinity (1-mile from the border of the project site and 0.25 mile border from the centerline of the linear facilities). Presented in Section 8.4.3.1 is a general description of the land uses and major landmarks within a broad area near the project site. Section 8.4.3.2 presents the existing land uses, the General Plan land use designations and zoning districts of the project vicinity and the allowable uses within those designations. Also discussed in Section 8.4.3.2 are unique land uses, such as residential, recreation, scenic, historical, cultural uses and nature preserves. Summarized in Section 8.4.3.3 are the applicable General Plan policies based on land use within the project vicinity. Conformity of the project with the land use and zoning districts affected, and General Plan policies affected is found in Section 8.4.6.

8.4.3.1 General Description of Project Area

The project site is located in the City of San Joaquin, which is located in Fresno County, California. The County encompasses 6,000 square miles and is bordered by Merced, Madera, Mono, Inyo, San Benito, Kings and Tulare Counties. The County contributes to the Central Valley counties through regional employment, housing, and agricultural resources.

Land use in the western portion of the County comprises various areas of flat to slightly hilly open space terrain primarily used for agricultural uses. The historical land use pattern in the planning area has resulted in mainly agricultural land uses, with water and resource management projects within the County as well.

Major landmarks near the project include the Mendota Wildlife Management Area approximately 10 miles to the northwest and the Fresno-Clovis Wastewater Treatment Facility, approximately 20 miles to the northeast. The site is located approximately 20 miles southwest of the City of Fresno, 12 miles southeast of Mendota, and 5 miles southeast of Tranquillity. Large infrastructure projects in the area include a railroad line (north and south of the project site), the Fresno Slough (west of site approximately 3 miles) and James Bypass Canal (east of site approximately 3 miles), the City of San Joaquin wastewater treatment plant (west of site approximately 2 miles), a substation (south of site approximately 1 mile) and electrical transmission lines (north and south of the project site).

8.4.3.2 Existing Land Uses, Planning and Zoning Designations

The General Plan is a vision statement for future development, containing goals and policies to guide development. The City of San Joaquin Comprehensive General Plan and Environmental Impact Report (City of San Joaquin, 1996) is the planning document applicable to this site. The zoning ordinance is a regulatory tool used to implement the General Plan. It defines zoning districts that dictate permitted uses as well as design requirements such as setbacks and height limits.

Definitions of General Plan land use designations in the project vicinity are described in Table 8.4-4. Existing land uses and zoning districts for the proposed site and vicinity, along with the project's linear features, are presented in Table 8.4-5.

TABLE 8.4-4
Planning Designation Definitions in Project Vicinity

General Plan Land Use Designation	Examples of Permitted Uses for General Plan Land Use Designations	
	City of San Joaquin	Fresno County
Commercial (Community, Highway, Neighborhood)	Commercial sales and services	Not applicable
Commercial Reserve	Lands currently in agricultural production that can be converted to commercial uses if urban services can be provided and population growth justifies conversion of land use.	Not applicable
Manufacturing (Heavy and Light)	Industrial uses that are considered incompatible with residential uses. Heavy Manufacturing includes intensive manufacturing and generally involves manufacture, processing or treatment of materials, distributing plant, plant milling, agricultural processing. All uses are subject to Planning Commission review.	Fresno County
Manufacturing Reserve	Lands currently in agricultural production that can be converted to manufacturing uses if urban services can be provided and population growth justifies conversion of land use.	Not applicable
Parks and Recreation	Not otherwise defined, same as Quasi/Public Offices	Not applicable
Professional/Business Office	Not otherwise defined, same as Commercial	Not applicable
Quasi/Public Offices	Park and recreation areas, public schools, government offices, service yards, drainage basins, churches and religious facilities	Not applicable
Residential (Low, Medium and High Densities)	Residential structures including lot sizes and densities as defined in the General Plan.	Not applicable
Residential Reserve	Lands currently in agricultural production which can be converted to urban residential uses if urban services can be provided and population growth justifies conversion of land use.	Not applicable
Agriculture	Production of crops and livestock, for location of necessary agriculture commercial centers, agricultural processing facilities, and certain nonagricultural activities. Specially permitted uses include electrical substations and natural gas distribution.	Fresno County

Sources: City of San Joaquin (1996, 2001b); Fresno County (2000, 2001a)

TABLE 8.4-5
Existing Land Uses and Planning Designations

Project Component	Existing Land Uses	General Plan Designation		Zoning Designation	
		City of San Joaquin	Fresno County	City of San Joaquin	Fresno County
Proposed Site^a	Agricultural; Vacant	Heavy Manufacturing (HM)	Not applicable	Manufacturing (M)	Not applicable
Site Vicinity^a	Agricultural and related uses (grazing, crops) Urbanized/suburbanized uses (commercial, manufacturing, residential)	Commercial Reserve (CR) High, medium and low Density Residential (HD, MD and LD) Highway and Community Commercial (HC and CC) Light and Heavy Manufacturing (LM, HM) Manufacturing Reserve (MR) Parks and Recreation (PR) Quasi/Public Offices (QP) Residential Reserve (RR)	Agriculture	Commercial Reserve (CR) High, medium and low Density Residential (HD, MD and LD) Highway and Community Commercial (HC and CC) Manufacturing (M) Manufacturing Reserve (MR) Parks and Recreation (PR) Quasi/Public Offices (QP) Residential Reserve (RR)	Exclusive Agriculture 20-acre minimum parcel size (AE20) Exclusive Agriculture 40-acre minimum parcel size (AE40) HM (M-3) Limited Agriculture 20 (AL20)
Electrical Transmission Line^b	Agricultural and related uses (pastures, row crops) Utility (substation and transmission lines)	Light and Heavy Manufacturing (HM) Manufacturing Reserve (MR)	Agriculture	Manufacturing (M)	Exclusive Agriculture 20-acre minimum parcel size (AE20) Exclusive Agriculture 40-acre minimum parcel size (AE40) Limited Agriculture 20 (AL20)
Gas Line Alternatives^b	Agricultural and related uses (pastures, stockponds, vineyards) Low-density residential Water management Utility (substation and transmission lines)	Same as site and site vicinity	Agriculture	Same as site and site vicinity	Exclusive Agriculture 20-acre minimum parcel size (AE20) Exclusive Agriculture 40-acre minimum parcel size (AE40) Limited Agriculture 20 (AL20)
Waterline Alternatives^b	Agricultural and pastureland Water management Utility (Fresno County wastewater treatment facility)	Same as site and site vicinity	Agriculture	Same as site and site vicinity	Exclusive Agriculture 20-acre minimum parcel size (AE20) Limited Agriculture 20 (AL20)

Sources: City of San Joaquin (1996, 2001b); Fresno County (2000, 2001a) and respective land use designation and zoning maps

^a Land Use and Zoning for project vicinity is 1-mile boundary around project site

^b Land Use and Zoning for all linear facilities include 1/4-mile boundary from centerline

8.4.3.2.1 Central Valley Energy Center Site

The site (Figure 8.4-1) is located on an 85-acre parcel in the southeastern portion of the City near the north intersection of Springfield Avenue and Placer Avenue. The site is bounded to the north and east by Colorado Avenue/railroad corridor. Urbanized uses in the City are generally located to the north and west of the site. Rural residential uses are located to the west of the site. Existing uses on the site include irrigated agriculture, power lines and an irrigation canal. Most of the site is currently in cotton production, is surface irrigated and does not involve special cultivation practices. A small portion on the northern side of the site is used for heavy commercial/light industrial uses (City of San Joaquin, 2001a).

The project site is designated in the General Plan for Heavy Manufacturing (HM) land uses. Uses allowable for this designation are summarized in Table 8.4-4, and include industrial uses that are considered incompatible with residential uses. HM includes intensive manufacturing and generally involves manufacture, processing or treatment of materials, distributing plant, plant milling, agricultural processing. All uses are subject to Planning Commission review. The site is zoned for manufacturing (M), discussed below.

The project site is in the Manufacturing (M) zoning district. Uses allowable within the M zoning district, subject to Site Development Review and Use Permit include those uses that “in the opinion of the Commission may be objectionable in nature by reason of production of offensive odor, dust, smoke, fumes, noise, bright light, vibration or involving the storage or handling of explosive or dangerous materials and all uses listed in this section, may be permitted only if a use permit is first secured in each case:...(4)...Utilities, including thermal power plants, electric transmission lines and related facilities (equipment, structures, and accessories dedicated to and essential to the operation of thermal power plants; Processing and assembly; Storage and warehouses and Services...”(City of San Joaquin, 2001b).

8.4.3.2.2 Linear Facilities

Electric Transmission Line

The new 230-kV electric transmission line extension from the site will cross through mainly agricultural uses to a substation south of the project site. The electric transmission line route is zoned for M as it crosses the project site and agriculture as it crosses into Fresno County.

The 70-kV subtransmission line reroute will cross similar land uses and zoning designations. (See Figures 2.1-1 and 8.4-3). For more information on the electric transmission line, refer to Section 5.0.

Natural Gas Supply Line

Natural gas for the facility will be delivered to the site via approximately 20 miles of new 24-inch pipeline that will connect to PG&E’s existing main pipeline (Line 2) near I-5 (Figure 2.1-1).

The land use designations for the proposed natural gas route in the City’s jurisdiction are generally urbanized uses, including manufacturing, commercial businesses and residential. The zoning for the alternatives within the City’s jurisdictions are also generally manufacturing, commercial businesses and residential.

Zoning in the County’s jurisdiction for the proposed alternative route is mostly AE20 and AE40 (exclusive agriculture zoning with 20-acre and 40 parcel minimum, respectively).

See Figures 8.4-2 and 8.4-4 for land use and zoning districts along the natural gas pipeline alternative routes. These designations are described in Table 8.4-4. The alternative gas supply routes are described in Section 6.0, Natural Gas Supply.

Waterlines

In general, all alternatives cross lands designated for urbanized uses (commercial and manufacturing) in the City and agricultural uses in the County. Zoning for both jurisdictions for the waterline is similar to the natural gas supply line.

Land use and zoning information is shown on Figures 8.4-2 and 8.4-4. Alternative water supply routes are discussed in Section 7.0, Water Supply.

8.4.3.2.3 Recreation, Scenic, Natural Resource Protection, Natural Resource Extraction, Scenic, Educational, Religious Land Uses.

In general, recreational facilities in the project vicinity are limited to uses allowed near the Fresno Slough (low impact recreational uses, such as bird-watching). The Fresno Slough exists approximately 5 miles to the southwest of the City and within 1/4 mile of the proposed natural gas line alternatives. A city park and elementary school playground are the two recreation areas within the City.

The Mendota Wildlife Protection area exists approximately 15 miles north of the project site, and would be considered a protected, natural resource area.

No natural resource extraction areas exist within the project vicinity.

No unique scenic resources exist within the project vicinity. Visual resources are discussed in detail in Section 8.11.

Schools and religious institutions within the project vicinity are discussed in Section 8.12.

8.4.3.3 General Plan Policies Applicable to the Project

The following section summarizes General Plan policies for land uses affected by the project. Specific General Plan goals and policies and the project's conformity with these policies are found Section 8.4.6.

8.4.3.3.1 Industrial Land Uses

Land will be used for industrial purposes on the project site. A part of the City's major goals and objectives according to the General Plan is to incorporate industrial land uses to encourage job-creation and revenue generating activities. For this purpose, the City intends to promote the development of new industrial activities and has designated land for new industrial uses through current land use designations and zoning. The City seeks to develop industrial uses within the areas that have been designated and zoned for industrial purposes, including the manufacturing land use designations and zoning districts.

In addition to the promotion of industrial land uses within designated areas, the City seeks to maintain existing city infrastructure and develop new public facilities and services as the need occurs.

Industrial development policies for the County relevant to this project are generally related to the County's desire to focus industrial expansion within existing incorporated cities, urban areas and other areas that have existing infrastructure to support such development. Development of industrial uses within existing urbanized areas is intended to minimize loss of agricultural resources.

For the specific goals and policies relevant to industrial and related land uses, see Section 8.4.6.

8.4.3.3.2 Agricultural Uses and Prime Farmlands

Agricultural resources exist on the project site and in the vicinity of the site, and are discussed in detail in Section 8.9. Prime agricultural lands are addressed in this section.

The designations of Important Farmlands in the project vicinity are shown on Figures 8.9-2a and 8.9-2b. This map is derived from information provided from the Farmland Mapping and Monitoring

Program (FMMP) administered by the Division of Land Resource Protection in the California Department of Conservation (CDC). The County has approximately 634,500 acres of prime, unique, and agricultural lands of state importance.

The Important Farmland Map (Figures 8.9-2a and 8.9-2b) shows that the project site is considered Prime Farmland (P). In the project vicinity, Prime Farmlands, Farmlands of Statewide Importance (S) and Farmlands of Local Significance (L) exist.

The City Conservation, Open Space and Recreation Element includes policies associated with protection of agriculture. The City addresses conservation of agricultural uses through “well planned and structured growth” and “through interaction and cooperation with County, Regional, State and Federal jurisdictions” on the issue (City of San Joaquin, 1996). Potential losses of agricultural lands are addressed through the monitoring of conversion from agricultural uses to urban uses as required to serve population needs.

The County General Plan addresses potential losses of agricultural lands through policies that “seek to sustain agricultural activities from incompatible land uses, promoting agricultural land preservation programs, developing programs to preserve or maintain soil conditions or improve soil productivity, facilitating agricultural production by supplying adequate land for support services, and controlling expansion of non-agricultural development onto productive agricultural lands” (Fresno County, 2000). In general, urbanized uses are to be sited near incorporated cities, urbanized uses and areas with existing infrastructure to support such uses. This policy minimizes conversion of agricultural lands from urban development, avoids leapfrog development, and allows urban services to expand in an efficient way.

For the specific goals and policies relevant to agricultural land uses, see Section 8.4.6.

8.4.4 Future Growth Trends

According to the City General Plan, growth will occur in all areas of the City and within the City’s sphere of influence. The City intends to annex areas within its sphere of influence within the next 20 years. As shown above in Table 8.4-4, the City has reserved land use designations that can be converted to urbanized uses based on population demand. As population demand requires more urbanized uses, an area will be rezoned from its “reserved” status to the applicable zoning district. Therefore, trends in zoning will be responsive to population demand.

Based on the General Plan diagram, growth in the City is proposed to occur as follows. A core of commercial and manufacturing uses are designated for the Colorado Avenue/Union Pacific Railroad corridor bisecting the city. The northeastern portion of the City is designated for a mix of housing options, public/quasi-public office space, neighborhood commercial uses and open space/parks and recreation. The northwestern portion of the City is designated for low density residential uses. The southwestern portion of the City has been designated for mostly reserved residential uses, with a small amount of public/quasi-public office space. The southeastern portion of the city is designated for manufacturing and commercial uses (where the project is proposed). Growth trends are expected to generally follow the General Plan diagram.

Growth in the County is to occur in currently urbanized areas, incorporated and unincorporated cities where infrastructure services are available.

8.4.5 Recent Discretionary Reviews by Public Agencies

In July 2001, the City Council of the City of San Joaquin amended its 1996 General Plan designation for the project site from Manufacturing Reserve (MR) to Heavy Manufacturing (HM). The city council also amended the zoning map of the San Joaquin Municipal Code pertaining to the project site and two

other parcels within its sphere of influence adjacent to its southern boundary. The amendment rezoned the three parcels from a Fresno County agricultural designation to the City's Manufacturing (M) zone, with such zoning becoming effective upon annexation of the parcels. The city council also adopted a resolution to apply to the Fresno County Local Agency Formation Commission (LAFCO) for annexation of the three parcels into the City of San Joaquin. In August 2001, the Fresno County LAFCO approved the Colorado-Springfield Annexation No. 1, which annexed the project site into the City of San Joaquin and automatically applied the City's M zoning district to the site.

Recent database searches in the Fresno Bee did not produce any additional results on reports for community development in the project vicinity.

8.4.6 Environmental Consequences

8.4.6.1 Significance Criteria

Significance criteria for impacts to land use were determined through review of applicable state and local regulations. Because the Warren-Alquist Act is equivalent to CEQA review, the following criteria developed from the CEQA Guidelines and the CEQA Checklist are used to evaluate the potential environmental impacts of the project:

- Will the project physically divide an established community?
- Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?
- Will the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

8.4.6.2 Potential Effects on Land Use

The project would constitute industrial development on land that is zoned for industrial use within the City's jurisdiction.

The project would not physically divide an established community because it is proposed to occur at the southeastern border of the City limits and the City's Sphere of Influence. The project would be sited in an area generally proposed for future industrial development by the City of San Joaquin General Plan (City of San Joaquin, 1996).

The project constitutes the type of development and land use encouraged by the City's major goals and objectives. The project is consistent with current zoning and land use designations for the site. Based on the major goals and objectives of the City General Plan, the site would eventually be used of industrial purposes, regardless of the project.

The County does not presently have an approved regional habitat conservation plan or natural community conservation plan. Therefore, the project would not conflict with the goals of such a plan.

The project would permanently remove 85 acres of Important Farmland from production, although the project is consistent with current industrial land use and zoning designations.

The impact of temporary construction activities will be significant because the surrounding area is generally undeveloped and has a low density residential population.

Further discussion for potential impacts for each of the project elements are discussed below.

8.4.6.2.1 CVEC Project Site and Surrounding Area

The project constitutes an allowable use in the M zoning district subject to City of San Joaquin Site Review and a Use Permit, which would require a height variance from 75 feet to 140 feet. Its design and landscaping plan will be compatible with visual resource requirements for the City (refer to Section 8.9 for more information on conformance with agricultural resource policies and Section 8.11, Visual Resources, for more information on aesthetics and visual impacts).

The project would result in the permanent conversion of approximately 85 acres of prime farmland, or less than .01 percent of farmland within the County. Through implementation of their respective General Plans, both jurisdictions have addressed future development and agricultural conservation by directing growth to currently urbanized areas and incorporated cities. The proposed project is consistent with these policies, and therefore does not constitute a significant impact on agricultural uses. Construction of the water and gas pipelines would either be constructed in or adjacent to road right-of-way where agricultural uses are absent, or would be constructed to allow agricultural uses after installation.

Also, the City found the conversion of this parcel from agricultural use to industrial use less than significant in the Initial Study for annexation and rezone (City of San Joaquin, 2001a).

8.4.6.2.2 Transmission Line Routes

The transmission line construction and operation would not have a significant permanent land use impact in accordance with the significance criteria discussed above, and is compatible with the underlying zoning and surrounding land uses.

8.4.6.2.3 Natural Gas Pipeline and Waterline Routes

The proposed natural gas pipeline and waterline routes would not have a significant impact on land uses of the surrounding area. Natural gas supply pipelines, water supply, and reclaimed water supply pipelines would be underground, and therefore would not limit the continued uses of these areas for their currently designated uses (e.g., agriculture).

8.4.6.3 Compatibility with Plans and Policies

The proposed project is consistent with the goals and policies of applicable plans. Table 8.4-6 provides a summary of the project's conformity with these applicable plans. The proposed project will not impact other unique land uses, such as recreational areas, as described in Section 8.4.3. Conformity with visual resource policies is provided in Section 8.11. The County does not have a habitat conservation plan or natural community protection plan; therefore, the project will not conflict with these plans.

TABLE 8.4-6
CVEC Land Use Conformity with Applicable Plans and Policies

Element	Goal/Policy	Conformity
City of San Joaquin General Plan		
Major Goals, Policies and Objectives of the Plan	<p>Goal No. 1L: Policies and proposals of the General Plan should seek to expand job-creation and revenue generating activities, including levels of retail, commercial service and industrial expansion that are necessary to support government services required by the expanding population base consistent with the rate of growth to be allowed.</p> <p>Objective 1.B: The City will promote development of new industrial activities and shall designate land for new industrial uses during the life of the General Plan Update.</p> <p>Objective 3.B: Maintain existing city infrastructure and develop new public facilities and services as the need occurs</p>	<p>✓ The CVEC Project will create jobs and generate revenue for the City through industrial expansion in response to regional growth estimates.</p> <p>✓ The CVEC Project is a new industrial activity in the community, sited within the proper land use and zoning district for such activities.</p> <p>✓ The CVEC Project will contribute to the maintenance of city infrastructure by providing electrical power generation capabilities to the community and region.</p>
Land Use		
Industrial Development	<p>Industrial development will continue to be promoted along the M zoning district generally southwest of Colorado Avenue, generally along the Southern Pacific Railroad and northeast of Railroad Avenue. M is also designated south of Manning Avenue and east of Colusa.</p> <p>Industrial sites should be subject to the same visual screening, ornamental walls, screen fencing, and landscaping requirements as commercial areas.</p>	<p>✓ The CVEC Project is sited within the M zoning district that is planned for in the General Plan.</p> <p>✓ The CVEC Project will provide visual screening as discussed in Section 8.11</p>
Conservation, Open Space and Recreation Land Uses		
Agricultural Policies	<p>1. As the City grows to accommodate the housing and urban needs of the region's population, the City will ensure that land conversion to urban uses is based on preservation of agricultural lands, protecting the City from leap frog development, and delays development until urban development is needed.</p> <p>2. The protection of agricultural lands from premature conversion to urban use will be reinforced by the City monitoring and reviewing extension of sewer and water lines.</p>	<p>✓ Although the project site is currently in agricultural production, it is zoned for manufacturing uses. Therefore, the project does not cause the premature conversion to urban use of agricultural lands.</p> <p>See above</p>

TABLE 8.4-6
CVEC Land Use Conformity with Applicable Plans and Policies

Element	Goal/Policy	Conformity
Fresno County General Plan		
Land Use		
Agriculture	<p>Goal LU-A: To promote the long term conservation of productive and potentially-productive agricultural lands and to accommodate agricultural support services and agriculturally related activities that support the viability of agriculture and further the County's economic development goals</p> <p>Policy LU-A.1: The County shall maintain agriculturally-designated areas for agriculture use and shall direct urban growth away from valuable agricultural lands to cities, unincorporated communities, and other areas planned for such development where public facilities and infrastructure are available.</p> <p>Policy LU-A.13: The County shall minimize potential land use conflicts between agricultural activities and urban land uses through the provision of appropriate buffers or other measures.</p>	<p>✓ The water and gas pipelines would be constructed in or adjacent to road ROWs and will not remove agricultural land from production.</p> <p>✓ The CVEC Project will be sited in an incorporated city in an area of the city planned for development similar to the project. Installation of linear facilities will not decrease agricultural productivity of the areas these facilities cross on a long-term basis.</p> <p>✓ See above for LU-A.1. Additionally, agricultural lands crossed by linear facilities will be restored to original or near original condition such that land use conflicts will not occur.</p>
Urban Development	<p>Goal LU-F: To encourage mixed-use pedestrian and transit-oriented development and to establish development standards for residential, commercial, and industrial development in urban and urbanizing areas.</p> <p>LU-F.31: To the extent feasible, the County shall require that all industrial uses located adjacent to planned non-industrial area or roads carrying significant non-industrial traffic be designed with landscaping and setbacks comparable to non-industrial areas.</p>	<p>✓ Although the site is within the jurisdiction of the City, visibility from County roads is possible. The CVEC Project will follow landscaping/aesthetic guidelines for commercial areas, as discussed above.</p>
Incorporated City, City Fringe Area, Etc.	<p>Goal LU-G: To direct urban development within city spheres of includes to existing incorporated cities and to ensure that all development in city fringe areas is well planned and adequately served by necessary public facilities and infrastructure and furthers countywide economic development goals.</p>	<p>✓ The CVEC Project will be sited in an incorporated city in an area of the city planned for development similar to the project.</p>
Open Space and Conservation	<p>Policy OS-C.12 :The County shall require a special permit for certain oil and gas activities and facilities as specifically noted in the Oil and Gas Development Matrix due to their potential significant adverse effects on surrounding land or land uses</p>	<p>✓ Based on future consultation with the County of Fresno, CVEC will acquire the necessary permits for the installation of the natural gas facilities.</p>

TABLE 8.4-6
CVEC Land Use Conformity with Applicable Plans and Policies

Element	Goal/Policy	Conformity
General Public Facilities and Services	Policy OS-C.14: The County shall permit by right small scale oil and gas activities and facilities that can be demonstrated to not have a significant adverse effect on surrounding or adjacent land uses in an established oil and gas field and established oil and gas field in urban areas, or non-urban areas.	✓ Based on future consultation with the County of Fresno, CVEC will acquire the necessary permits for the installation of the natural gas facilities.
	Goal PF-J: To provide efficient and cost-effective utilities that serve the existing and future needs of people in the unincorporated areas of the County.	✓ CVEC will provide low cost power within the County and will reduce adverse impacts from the Fresno-Clovis WWTF.
	PF-J.2: The County shall work with local gas and electric utility companies to design and locate appropriate expansion of gas and electric systems, while minimizing impacts to agriculture and minimizing noise, electromagnetic, visual, and other impacts on existing and future residents.	✓ CVEC will work with the County to design and locate appropriate expansion of utility systems through the plan review process with the County

8.4.7 Cumulative Impacts

The CEQA Guidelines (Section 15355) define cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.”

The CEQA Guidelines further note that:

The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

As discussed above, the proposed project is consistent with the City’s major goals and objectives for industrial development and will be sited in an area reserved for such purposes. The proposed project is consistent with the current land use designation and zoning district for the site, and is also consistent with land use policies relevant to the project. Therefore, the proposed project will not have a cumulative impact on land uses in the project vicinity. Potential impacts to the aesthetic quality of the area are mitigated as discussed in Visual Resources (Section 8.11).

Although currently used for agricultural purposes, the CVEC project site is located within the incorporated boundaries of the City of San Joaquin. The City of San Joaquin General Plan (City of San Joaquin, 1996) designates the site for future industrial purposes and the site is currently zoned for uses consistent for the project (City of San Joaquin, 2001a). The CVEC site is designated for industrial uses and the site would eventually be converted from its current agricultural use regardless of the project.

In addition to the project being consistent with previously considered land use planning decisions, conversion of Important Farmlands in Fresno County has decreased over the past 6 years. As indicated above, the conversion rate of Important Farmlands to Urban and Built-Up lands in 1996 (0.93 percent) has decreased by approximately 50 percent in 2000 (0.53 percent) (CDC, 2001). The project would represent conversion of approximately .01 percent of available Important Farmlands in Fresno County.

The cumulative impact of agricultural conversion at the site has previously been considered from a local and regional planning perspective. Conversion of farmlands in the County appear to be decreasing and the degree to which the project would convert Important farmlands is very minor compared to available resources. Therefore, potential cumulative impacts to conversion of agricultural resources in Fresno County associated with the CVEC project are considered to be less than significant.

8.4.8 References

California Department of Conservation (CDC). 2001. Farmland Mapping and Monitoring Program Statistics web page at http://www.consrv.ca.gov/dlrp/FMMP/fmmp_stats.htm.

City of San Joaquin. 1996. Comprehensive General Plan and EIR.

City of San Joaquin. 2001a. Initial Study and Negative Declaration for the Southeast Area Annexation. May.

City of San Joaquin. 2001b. San Joaquin Municipal Code.

Connor, Brett. 2001. Personal communication. Fresno County. Permit Engineer. June 13.

Fresno County. 2000. General Plan (Public Review Draft). January.

Fresno County. 2001a. The Zoning Division of the Fresno County Ordinance Code.

Fresno County. 2001b. Fresno County General Ordinance Code.

Ganfoori, Fari. 2001. Personal communication. Fresno County. Planning Analyst. June 13.

Hami, Shahid. 2001. Personal communications. City of San Joaquin, City Manager. May 1 and August 4.







